IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 3RD OCTOBER 2007 / 11TH ASWINA 1929

Bail Appl..No. 6015 of 2007()

CMP.12432/2007 of J.M.F.C.,KARUNAGAPPALLY
[CRIME NO.169/07 OF KARUNAGAPPALLY EXCISE RANGE]

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: PETITIONER/ACCUSED

VIKRAMAN, S/O. KUMARAN,
SANDHYA BHAVANAM, PAVUMBA VADAKKE MURI,
PAVUMBA VILLAGE, KARUNAGAPPALLY.

BY ADV. SRI.A.AHZAR

RESPONDENTS: STATE/COMPLAINANT

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1. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. EXCISE INSPECTOR,
KARUNAGAPPALLY RANGE, KARUNAGAPPALLY.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.6015 of 2007

Dated this the 3rd day of October 2007

O R D E R

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 30 litres of wash on 19/9/2007. He was arrested and continues in custody from that date. He has no history of any criminal antecedents, submits the learned Public Prosecutor.

2. The learned counsel for the petitioner prays that the petitioner is absolutely innocent. He has afflicted with heart disease. He has been continuing in custody from 19/9/2007, he may be enlarged on bail, it is prayed. The learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation considering the nature and gravity of the allegations and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner can now be enlarged on bail on the following terms and conditions:

i) The petitioner shall not be released on bail on the strength of this order prior to 15/10/2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months from the date of his release and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007